## STATE OF ILLINOIS SECRETARY OF STATE SECURITIES DEPARTMENT

IN	THE	MATTER	OF:	PATRICK	т.	MCGUIRE,	JR.	) ) ) )File	No.	0700580
								)		

## TEMPORARY ORDER OF PROHIBITION

TO THE RESPONDENT: Patrick T. McGuire, Jr.

1413 Saratoga Chase Sherman, IL 62684

On information and belief, I, Jesse White, Secretary of State for the State of Illinois, through my designated representative, having been fully advised in the premises by the staff of the Illinois Securities Department, Office of the Secretary of State, herein find:

- 1. That Respondent, Patrick T. McGuire, Jr., is an Illinois resident with a last known address of 1413 Saratoga Chase, Sherman, IL 62684.
- 2. That from April 1, 2006 through April 10, 2007, Patrick T. McGuire offered and sold to at least 4 Illinois investors Partnership Agreements and/or promissory notes issued or issuable by the Respondent for varying terms offering to double their money in a certain period of time and offering to split profits 50/50 in a basketball training camp venture to be operated by Patrick McGuire.
- 3. Patrick McGuire also represented to potential investors that the basketball camps he operated or would operate were affiliated with Nike and with various basketball athletes. He also represented that the children of the investors would be able to attend these camps for free or at a reduced cost.
- 4. None of the funds raised by McGuire were used to fund or operate basketball-training camps. Furthermore, McGuire

had no affiliation with Nike nor did he have any affiliation with any well-known basketball athletes.

- 5. The above-referenced partnership agreements and/or promissory notes are securities as that term is defined pursuant to Section 2.1. of the Illinois Securities Law of 1953 [815 ILCS 5/1 et seq.] (the "Act").
- 6. Section 5 of the Act provides, <u>inter alia</u>, that all securities except those exempt under Section 3 of the Act or those offered and sold in transactions exempt under Section 4 of the Act shall be registered with the Secretary of State prior to their offer or sale in the State of Illinois.
- 7. Section 12.A of the Act provides, inter alia that it shall be a violation of the Act for any person to offer or sell any security except in accordance with the provisions of the Act.
- 8. Section 12.D of the Act provides, <u>inter alia</u>, that it shall be a violation of the Act for any person to fail to file with the Secretary of State any document or application required to be filed under the provision of the Act.
- 9. Section 12.F of the Act provides, <u>inter</u> <u>alia</u>, that it shall be a violation of the Act for any person to engage in any transaction, practice or course of business in connection with the sale or purchase of securities which works or tends to work a fraud or deceit upon the purchaser or seller thereof.
- 10. At all times relevant hereto, the Respondent has failed to register his securities prior to their offer and sale in the State of Illinois.
- 11. That by virtue of the foregoing, the Respondent has violated Sections 12.A, 12.D and 12.F of the Act.
- 12. That Section 11.F.(2) of the Act provides, inter alia, that the Secretary of State may temporarily suspend or prohibit the offer or sale of securities by any person if the Secretary of State in his or her opinion, based upon credible evidence, deems it necessary to prevent an imminent violation of the Act or to prevent losses to investors which the Secretary of State reasonably believes will occur as a result of a prior violation of the Act.

- That based upon the foregoing, the Secretary of State deems it necessary, in order to prevent imminent and additional violations of the Act, and to prevent losses to 13. investors as a result of the referenced prior violation of the Act, to enter an order pursuant to the authority granted under Section 11.F of the Act which prohibits the Respondent from offering and/or selling securities in the State of Illinois.
- That based upon the credible evidence available to the Secretary of State, the entry of this Temporary Order is in the public interest and is consistent with the purposes of the Act.

NOW THEREFORE, IT IS HEREBY ORDERED THAT: pursuant to the authority granted by Section 11.F of the Act, Patrick T. McGuire, Jr., is hereby PROHIBITED from offering and/or selling securities in or from the State of Illinois until further order of the Secretary of State.

NOTICE is hereby given that the Respondent may request a hearing on this matter by transmitting such request in writing to Securities Director, Illinois Securities Department, 300 W. Jefferson St., Suite 300A, Springfield, Illinois 62702. Such request must be made within thirty (30) days of the date of entry of this Temporary Order. Upon receipt of a request for hearing, a hearing will be scheduled. Request for hearing will not stop the effectiveness of this Temporary Order and will extend the effectiveness of this Temporary Order for ninety days from the date the hearing request is received by the Department.

FAILURE BY ANY RESPONDENT TO REQUEST A HEARING WITHIN THIRTY (30) DAYS AFTER ENTRY OF THIS TEMPORARY ORDER SHALL CONSTITUTE AN ADMISSION OF ANY FACTS ALLEGED HEREIN AND CONSTITUTES SUFFICIENT BASIS TO MAKE THE TEMPORARY ORDER FINAL.

This  $28^h$  day of 9008

ESEVATOR SHOW

Secretary of State

State of Illinois